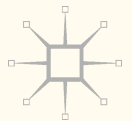


VOLUME II

# FOLLOWING THE LEVELLERS,

*English Political and Religious  
Radicals from the Commonwealth to  
the Glorious Revolution, 1649-1688*

GARY S. DE KREY



# Following the Levellers, Volume Two

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English Political and Religious Radicals  
from the Commonwealth to the Glorious  
Revolution, 1649–1688

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*For Catherine,  
who has survived much more than the Levellers*

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## ABBREVIATIONS EMPLOYED IN BOTH VOLUMES

<i>AHR</i>	<i>American Historical Review</i>
<i>AOI</i>	<i>Acts and Ordinances of the Interregnum, 1642–1660</i> , C. H. Firth and R. S. Rait, eds., 3 vols. (1911)
<i>BDBR</i>	<i>Biographical Dictionary of British Radicals in the Seventeenth Century</i> , Richard L. Greaves and Robert Zaller, eds., 3 vols. (Brighton, 1982–1984)
<i>BHO</i>	British History Online ( <a href="http://www.british-history.ac.uk/">http://www.british-history.ac.uk/</a> )
<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
<i>BL</i>	British Library
<i>Bodl. Lib.</i>	Bodleian Library, Oxford University
<i>CCSP</i>	<i>Calendar of Clarendon State Papers preserved in the Bodleian Library</i> , F. J. Routledge, ed., 5 vols. (Oxford, 1872–1932)
<i>CJ</i>	<i>Journal of the House of Commons</i> , 12 vols. (1802–1803)
<i>CP</i>	<i>The Clarke Papers</i> , C. H. Firth, ed., 4 vols. (1891–1901) and vol. 5, Frances Eleanor Laurens Henderson, ed. (Cambridge, 2005)
<i>CSP</i>	Clarendon State Papers, Bodleian Library
<i>CSPD</i>	<i>Calendar of State Papers, Domestic</i>
<i>CSPVen</i>	<i>Calendar of State Papers, Venetian</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>English Levellers</i>	<i>The English Levellers</i> , Andrew Sharp, ed. (Cambridge, 1998)

Evelyn, <i>Diary</i>	<i>The Diary of John Evelyn</i> , E. S. De Beer, ed., 6 vols. (Oxford, 1955)
GHL	Guildhall Library
Grey, <i>Debates</i>	Grey, Anchitell. <i>Debates in the House of Commons from the year 1667 to the year 1694</i> , 10 vols. (1763)
<i>HJ</i>	<i>Historical Journal</i>
HL	Huntington Library
<i>HLQ</i>	<i>Huntington Library Quarterly</i>
HMC	Historical Manuscripts Commission
<i>JBS</i>	<i>Journal of British Studies</i>
LJ	<i>Journals of the House of Lords</i>
<i>Leveller Manifestoes</i>	<i>Leveller Manifestoes of the Puritan Revolution</i> , Don M. Wolfe, ed. (New York, 1944)
<i>Leveller Tracts</i>	<i>The Leveller Tracts 1647–1653</i> , William Haller and Godfrey Davies, eds. (New York, 1964)
ODNB	<i>Oxford Dictionary of National Biography</i> , H. C. G. Matthew and B. H. Harrison, eds., 60 vols. (Oxford, 2004) and online (2005–present)
<i>OPH</i>	<i>Old Parliamentary History: Parliamentary or Constitutional History of England</i> , 24 vols. (1760–1763)
Pepys, <i>Diary</i>	<i>The Diary of Samuel Pepys</i> , R. Latham and W. Matthews, eds., 11 vols. (Berkeley and Los Angeles, 1970–1983)
POAS	<i>Poems on Affairs of State; Augustan Satirical Verse, 1660–1714</i> , G. deF. Lord et al., eds., 7 vols. (New Haven, 1963–1975)
Rushworth, <i>Collections</i>	John Rushworth, <i>Historical Collections of Private Passages of State Collections</i> , 7 vols. (1721)
<i>State Trials</i>	<i>A Complete Collection of State Trials</i> , T. B. Howell and T. J. Howell, eds., 34 vols. (London, 1811–1828)
<i>Thurloe SP</i>	<i>A Collection of the State Papers of John Thurloe, Esq.</i> , 7 vols., ed. Thomas Birch (1742)
TNA	The National Archives
TRHS	<i>Transactions of the Royal Historical Society</i>
VCH	Victoria County Histories
WCO	Worcester College, Oxford
<i>WMQ</i>	<i>William and Mary Quarterly</i>
WWW	William Walwyn, <i>The Writings of William Walwyn</i> , J. R. McMichael and Barbara Taft, eds. (Athens, Georgia, 1989)

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## Introduction: Finding the Levellers and Their Successors

Since the beginning of Leveller scholarship, historians have wondered whether the Levellers of 1647–1649 had successors in subsequent decades who continued to articulate the Leveller programme. Most have thought not. Twentieth-century historians who placed the Levellers in the historical narrative of seventeenth-century England generally thought the Leveller impulse died after 1649. They regarded the Levellers as an immediate, short-term response to the collapse of Stuart government into civil war and political acrimony: the Levellers were a structured party, movement, or organization of 1647–1649 with a fixed agenda embedded in the Agreement of the People. Their chances of success were never great because Leveller ideas about democracy and contractual government were far ahead of their time. Furthermore, according to this view, the Levellers' hopes were too dependent on their support in the New Model Army. When the army rebellion was 'crushed' at Burford, so too were the Levellers.<sup>1</sup> Other political radicals, republicans, and sectarian visionaries appeared in the 1650s; but their impact was similarly brief; and civil war and Interregnum radicalism were largely repudiated in the Stuart Restoration of 1660. As the eminent historian Conrad Russell opined in the mid-1980s: 'the defeat of 17th-century radicalism was long-lasting and apparently complete.'<sup>2</sup>

Lack of familiarity with the composition of the Leveller following reinforced the scholarly termination of the Leveller story in 1649. Murray Tolmie's pioneering study of 1977 linked the London Levellers to individual London Baptists and separatists. However, Tolmie also

interpreted the 1649 break between the Leveller leaders and notable urban separatist pastors as heavily damaging to the urban sectarian audience that had provided the Levellers with support for their campaign of petitions and demonstrations on behalf of the Agreement. Tolmie provided much biographical evidence about who among the urban sectarians supported the Levellers, but he did not trace those associations beyond 1649. Other recent work has reinforced the emphasis on the sectarian origins of the Leveller following, but without an extensive prosopographic reconstruction of who followed the Levellers before 1649, following the Levellers after 1649 has not been feasible.<sup>3</sup>

The purpose of this volume is to integrate the story of the 1647–1649 Levellers with that of their Interregnum and Restoration successors. It proposes that Leveller arguments and ideas can, in fact, be found in subsequent times of significant unsettlement (or climacterics) like that of 1647–1649 in which the Levellers first arose. This contention rests upon the identification of as many individual Leveller followers as possible in London, the army, and other localities. It also rests upon analysis of how radical political perspectives shaped the lives of both Leveller followers who survived after the 1640s and Leveller successors. My findings draw from the work of many scholars who have investigated the worlds of Interregnum republicanism and Restoration radicals, generally without linking their subject matter to the Levellers. My approach also draws upon a more malleable understanding of the Levellers than that of most previous Leveller historiography.

The history of the Levellers is a history of spontaneous outbursts of political creativity on behalf of political and religious freedom at critical intervals in 1647–1649. Those political outbursts recurred episodically over the next forty years, provoked by political disappointments and by the imposition of political and religious constraints. The Levellers and their immediate followers should be interpreted as adaptable and non-doctrinaire proponents of accountable government, popular rights, and liberty of conscience. When they are so understood, their pre-1649 efforts can be tied to republican opposition to the Cromwellian Protectorate, to popular support for the revived Commonwealth of 1659, to sectarian hostility to the re-establishment of religious coercion in the reign of Charles II (1660–1685), and even to approval of a fundamental law in the reign of James II (1685–1688) that would have established religious toleration and placed it beyond parliamentary repeal.

Thirty years ago, Prof. J.G.A. Pocock wrote about a continuing ‘London-based radicalism’—one with its own political language about both ‘natural rights and historic birthrights’ embedded in an ancient constitution of ‘frequent or annual parliaments.’ Pocock suggested that this political radicalism connected the Levellers and the army radicals of the 1640s to an urban Restoration ‘radical underground’ that openly emerged again in 1678–1683.<sup>4</sup> He thought this radical ‘ancient constitutionalism’ was widespread among the more ‘violent Shaftesbureans,’ that it linked them to their ‘Commonwealth antecedents,’ and that even John Locke ‘moved’ among men inclined to these views in London and Amsterdam. The present volume follows Pocock’s lead in seeking to position this continuing stream of urban radicalism that originated with the Levellers firmly in the history of both the Interregnum and the Restoration. It does so by tracing the Leveller followers and those who succeeded them—and who refashioned and rearticulated their ideas—in every crisis of English government through the Glorious Revolution. The primary focus is London, which continued to generate a politically assertive population outside its walls, a population that often found in sectarianism a vehicle for its participatory values and that was also open to social and political change. This investigation of Leveller followers and successors is not restricted to London, however: it also examines the Leveller following and Leveller successors in other localities that seem to have been particularly hospitable to radical perspectives, and it seeks to explain why these communities also fostered such attitudes.

Analysis of post-1649 Levellers is most manageable for the era of the Commonwealth, 1649–1653, when so many Leveller activists of the previous two years remained visible in urban and national affairs. Chapter 2 explains how the Leveller leaders sought to relaunch their agenda of accountable government, popular rights, and liberty of conscience in the wake of the distraction produced by the spring 1649 troop disorders, only to see another mutiny—one more closely linked to the Leveller agenda—upend their efforts. In the Oxford mutiny of September 1649 the Commonwealth regime found further evidence with which to stigmatize the Levellers and to justify regulation of the ‘licence’ of the press that had facilitated the Levellers’ propagation of their views. By October 1649, the climactic of 1647–1649 was resolving, as the Commonwealth government finally established itself more securely through the suppression of rebellion in Ireland, mutiny in the army, and printed Leveller and royalist criticism. Yet the October 1649 treason trial of John Lilburne proved that

Leveller ideas had not lost their audience within London and the adjacent counties. The astonishing acquittal of the man whom many Independent leaders considered the prime mover behind all their 1649 troubles freed him, his associates, and his followers to challenge the unelected government of the English Revolution another day.

That day did not come immediately: the released Leveller leaders made their peace with a regime they had tried but failed to reform. But as the years passed, and as neither promised reforms nor parliamentary elections materialized, the Leveller impulse again became notable. When Oliver Cromwell precipitated another climactic of unsettlement in April 1653 by dissolving what was left of the Long Parliament and imposing the Nominated Parliament on the country, the Levellers burst onto the political scene again. They rearoused the same urban and county populations as in 1647–1649 on behalf of the political agenda previously digested in different versions of the Agreement of the People. The second Commonwealth treason trial of John Lilburne, which a Council of State dominated by Cromwell devised to end the Leveller challenge, instead demonstrated how little genuine support this transitional regime enjoyed, even among the gathered churches, which were its intended base. The transition from the Commonwealth to the Cromwellian Protectorate that followed was quite messy, and the Levellers and their followers contributed significantly to the mess.

But who were the Leveller followers of 1647–1653? Chapter 3 provides an extensive scholarly analysis of Leveller followers. It examines the religious, occupational, and geographic dimensions of the London Leveller following, confirming the Levellers' roots in urban sectarianism. The chapter also addresses the question of Leveller support among the personnel of the New Model Army by separating out those agitators and militants of 1647–1649 who remained committed to Leveller principles after the appearance of the first Agreement of the People. It traces the careers of some army Levellers through the 1650s, while also acknowledging that not all in the army who embraced Leveller principles before 1649 continued to do so thereafter. Finally, Chap. 3 offers the first extensive analysis of Leveller support outside London by examining the local politics and concerns that prompted petitions on behalf of the Levellers and their leaders in such counties as Hertfordshire and Buckinghamshire. Few names associated with local petitions have survived, but those that do survive point again to the sectarian outlook of Leveller supporters in the counties.

Chapter 4 addresses one of the thorniest questions of post-1649 Leveller history. What roles did Levellers and Leveller-inclined sectarians play in the emergence of the ‘commonwealthmen’ of the 1650s and in their opposition to the Cromwellian Protectorate for the sake of popular liberties and regularly elected parliaments? The chapter argues that rigid categorization of Cromwellian opponents into different camps under mutually exclusive labels is unhelpful. Different opposition camps clearly existed, but cooperation among camps that were only in the process of differentiation was also clear. The cross currents of politics under the Protectorate could bring together opponents of the regime as seemingly different as those whose republicanism was derived from classical and Renaissance sources and those whose ‘Fifth Monarchist’ views stemmed from visions of saintly rule in the final or fifth world monarchy prophesied in the Hebrew Book of Daniel. People who once followed the Levellers could be found among both republicans and Fifth Monarchists, and many of them still subscribed to elements of the Leveller agenda and acted on behalf of them.

For example, John Wildman found new republican friends under the Protectorate, including some who had once acted in the Rump Parliament and others, like James Harrington and Henry Neville, whose theoretical republicanism owed little to the popular London libertarianism of 1647–1649. However, in establishing these new personal connections, Wildman repudiated neither his old sectarian friends nor their interest in liberty of conscience. He recognized that sectarians were the ground troops of opposition to an unaccountable regime after 1653, just as they had been the mainstay of the Leveller following before 1653. Wildman also joined with such experienced radicals as Edward Sexby and Richard Overton in order to link republican and Leveller opposition to the regime to royalist opposition at home and abroad. Indeed, these three Leveller leaders were deeply involved with royalist agents in insurrectionary intrigue against the Protectorate. What was distinctive about the Leveller agenda of the 1640s was often obscured in the opposition plots and plans against the Cromwellian Protectorate, as men of different perspectives sought to forge tactical political alliances. Still, enough of that programme remained visible in the popular republicanism of the 1650s to keep the Leveller name current and also to keep those who had once acted together under that name, whether they chose it or not, aware of one another.

Some historians have recognized that both army agitation and a few Leveller voices reappeared at the time of the restored Commonwealth of 1659. However, Chap. 5 argues that the climacteric that coincided with the collapse of the Protectorate and the revival of the Commonwealth produced a full reassertion of the Leveller agenda in the same demographic elements and local communities in which it had originally circulated. The chapter examines the return to political activism of London sectarians with Leveller pasts in the events that brought down the government of Richard Cromwell, successor to his father as Lord Protector, and that led to the recall of the Rump of the Long Parliament. More importantly, it analyses the restatement and adaption of much of the Leveller programme in some of the political petitions and pamphleteering of that year. Leveller leaders, followers, and writers who had once opposed the Commonwealth as unrepresentative now sought to utilize Commonwealth government as a means towards the election of an accountable parliament and the secure establishment of liberty of conscience.

These political activists of 1659 are better thought of as Leveller successors than as Levellers *per se*, however: indebted to the Levellers of 1647–1649, they exhibited perspectives that were also shaped by the political disappointments and the new republican perspectives of the 1650s. When divisions among the Commonwealth's supporters precipitated another army coup in autumn 1659 and a military-dominated Committee of Safety, most civilian Leveller successors whose political minds can be read appear to have preferred a return to civilian government. Their voices were only heard briefly, however, before the movement of opinion towards a 'free parliament' brought about both the recall of the MPs purged in the Revolution of 1649 and the Long Parliament's recall of the son of the Stuart king with whom it had once sought to settle the country through a personal treaty.

The restoration of Charles II also involved the restoration of the coercive Anglican religious establishment dislodged in the 1640s and against which the Leveller authors had directed their initial arguments on behalf of liberty of conscience. Despite Charles's own inclination towards toleration, a series of statutes enacted by the strongly royalist and Anglican parliament elected in 1661 sought to suppress all religious expression outside the restored church order. Sectarians had always been a minority of the population, but if the 'persecuting state' of the Restoration was designed to reduce them to political compliance, it failed entirely.

Chapter 6 examines the reassertion of Leveller arguments and the reappearance of figures with a Leveller frame of mind in both the plots of the early Restoration and the opposition to the most coercive religious statute of the Restoration, the second Conventicle Act of 1670. Persecution prompted renewed articulation of many libertarian arguments that the Levellers had previously made.

Indeed, the coercive Restoration state not only stimulated new writing and political activism on behalf of liberty of conscience, always an irreducible Leveller position; but by the mid-1670s, it also rekindled all the fears of Leveller successors, republicans, and advocates of parliamentary government that the places of parliament and of the parliamentary electorate in the constitution were again in jeopardy. When concerns about the security of Protestantism and parliament provoked another great climacteric of unsettlement—a far-reaching Restoration Crisis in 1678–1683—important elements of the Leveller ethos resurfaced, especially in London. The intellectual domain of the Whig party of the early 1680s was not the same as that of the Levellers, but ordinary people in London and elsewhere could nevertheless readily appropriate elements of Whig argumentation about parliament, consensual government, and respect for electors and jurors in a manner reminiscent of the Levellers.

Who among the broader Whig party actually expressed views indebted to or similar to the Levellers and radicals of the 1640s? The final chapter of this volume identifies Leveller successors of the 1680s in the same populations that had produced the Leveller following of the civil war decade. The liminal London neighbourhoods that stretched from the city walls into the surrounding countryside continued to generate political radicals and to provide hospitable environments for sectarian churches that bred radical views. Such neighbourhoods were as much the training ground of Leveller successors as they had been the milieu of Leveller activists a generation earlier. Moreover, just as John Lilburne had sought to open the Corporation of London to greater electoral participation in the 1640s, so urban Leveller successors of the Restoration Crisis also attempted to transfer power in the city from magistrates to ordinary citizens. Evidence for these assertions can be found in: (1) the urban connections of parliamentary Whig leaders like the Earl of Shaftesbury and the Duke of Buckingham (who had been friends with both John Lilburne and John Wildman); (2) the political clubs around which the urban Whig party was centred (and which included old Levellers like

Samuel Oates); (3) the contacts between old Levellers and new radical Whig activists (like William Walwyn's son-in-law Francis Jenks); and (4) the conspiracies that followed Charles II's dismissal of his last parliament. Some non-metropolitan localities like Hertfordshire and Buckinghamshire, both of which had once provided the Levellers with county followers, also appear to have been hotbeds of political activism during the climacteric of 1678–1683, although establishing connections to the Levellers in these localities is more speculative than for London.

The connections of Leveller successors with the peripheral neighbourhoods and sectarian communities in London and elsewhere can likewise be illustrated in the climacteric of unsettlement with which the reign of James II concluded, which is also considered in Chap. 7. Ironically, sectarians who had once been in the forefront of opposition to Charles II were attracted, in the reign of his brother, to James's promotion of toleration as a 'new Magna Carta' for the English state. Sectarian support for the idea of a fundamental law for toleration that would stand against any attempted rescission by parliament or the crown can be traced back to the Levellers and agitators of the 1640s, who insisted that liberty of conscience and other fundamentals of the Agreement of the People should not be subject to subsequent revision. Moreover, James II's sectarian supporters endorsed his promotion of toleration through the prerogative without abandoning an insistence that it be confirmed by parliament, for as Leveller successors they remained committed to the idea of accountable and regularly elected parliaments. Unfortunately for James's sectarian supporters, the opponents of his toleration were as successful in demonizing them as the Commonwealth government had been in demonizing the Levellers of 1649–1653.

The impact of the Levellers did not, therefore, come to an end in 1649, because Leveller followers and Leveller successors remained an important presence in English political culture for another generation. Furthermore, Leveller ideas that continued to find support within some segments of the population cannot be dismissed as premature or ahead of their time. In fact, the Levellers of the 1640s advocated for constitutional ideas that were partially realized in the Glorious Revolution of 1688–1689. Toleration and government through regularly elected parliaments were both achieved in the wake of that revolution, although not in the precise form that the Levellers sought. After adoption of the Triennial Act of 1694, participation in the parliamentary elections of 1688–1715 was extensive, vigorous, and frequent. The Bill of Rights of 1689 also

protected important liberties including the right to petition the crown, trials before jurors ‘duly’ empanelled, and freedom from excessive judicial fines and bail. Many historical factors contributed to these results of the Glorious Revolution; but among them was the steady and resourceful advocacy of the Leveller authors of the 1640s, their immediate followers, and their successors through 1688. To assert this is not to revert to Whig-liberal historical views but rather clearly to acknowledge the continuing and sometimes overlooked or disregarded impact of the Levellers and their ideas in the history of seventeenth-century England.

## NOTES

1. See especially Theodore C. Pease, *The Leveller Movement* (Washington, DC., 1916); Joseph Frank, *The Levellers* (Cambridge, MA, 1955); and H.N. Brailsford, *The Levellers and the English Revolution* (Stanford, CA, 1961).
2. Conrad Russell, ‘Losers,’ *London Review of Books*, 6, no. 18 (4 Oct 1984), p. 20.
3. Murray Tolmie, *The Triumph of the Saints: The Separate Churches of London, 1616–1649* (Cambridge, 1977), pp. 181–184; Stephen Wright, *The Early English Baptists, 1603–1649* (Woodbridge, Suffolk, 2006), pp. 200–223; David R. Como, ‘Print, Censorship, and Ideological Escalation in the English Civil War,’ *JBS*, 51, no. 4 (2012), 820–857. Also see Colin Mason, ‘The General Baptists and the Levellers,’ *Baptist Quarterly*, 44, no. 8 (2012), 451–472.
4. J. G. A. Pocock, *Virtue, Commerce, and History* (Cambridge, 1985), p. 226.

## The Levellers and the Commonwealth, 1649–1653

### INTRODUCTION: CONFRONTATION AND CONTAINMENT

Recent historians have largely seen the Levellers as a ‘spent force’ after the suppression of the army mutiny at Burford in May 1649.<sup>1</sup> This characterization is a misleading overstatement, however. It too closely ties the history of the Levellers to that of the army rebels, whose grievances certainly overlapped with the civilian Leveller agenda but did so imperfectly. This approach also usually presumes that the Levellers were a political movement or party whose organization had been weakened by the simultaneous withdrawal of the gathered churches. In fact, John Lilburne, Richard Overton, William Walwyn’s son-in-law Humphrey Brooks, and other Levellers attempted again, over the summer of 1649, to relaunch their efforts for accountable and representative government, personal freedoms, and the Agreement of the People. Although they appealed to soldiers as well as to citizens, their preferred method of promoting their goals remained civil actions rather than military means.

Nevertheless, a number of factors—factors that also point to the Commonwealth’s progress in resolving the climacteric of 1647–1649 and in providing stable government—gradually discouraged continuing Leveller activism. These developments included the government’s effective application against the Levellers of conventional rhetoric about the consequences of disorder as well as the successful takeover of the Corporation of London by the regime’s urban Independent allies. The London Independents’ shifting of civic authority away from magistrates

and towards ordinary citizens and the annually elected common council accomplished some elements of the Leveller agenda at the local level, thereby also weakening popular support for Leveller opposition to the national regime. The hostility to the Levellers of some separatist clergy, who hoped that supporting the Commonwealth would assure toleration for their churches, became more damaging over time. Finally, many contemporaries who supported the Revolution of 1649 perceived the regime's steps to secure the realm and its trade against royalist disruption as important steps towards stability and economic recovery. Although the climacteric of 1647–1649 was gradually subsiding, and thereby eroding the Levellers' ability to impact political events, the new sense of security was clearly apparent only after Oliver Cromwell's military success in Ireland, beginning in September 1649.

Still, the Rump's failure, in its first six months, to enact many social, political, and religious reforms desired by civilian and army radicals gave the Levellers further opportunity to exploit popular disappointment. When the regime's efforts to reach an accommodation with the Leveller spokesmen failed, and when Leveller tracts contributed to a smaller mutiny at Oxford in September 1649, the regime grandees responded with significant measures. They harshly regulated the country's flourishing news-books, put John Lilburne on trial for his life, and amplified their case against the Levellers as royalist tools. These tactics served only to demonstrate the continuing attachment of an extensive urban following to Lilburne and to the Leveller principles that he exemplified. The 1649 treason trial of Lilburne was an embarrassing government failure; and both the regime and the Leveller leaders, all released from imprisonment by November 1649, sought to make peace with one another thereafter.

Yet Lilburne, Walwyn, and John Wildman each also sought to promote elements of the Leveller agenda during the ensuing years. Lilburne was the most outspoken, as he had been previously: his efforts eventually earned him both banishment from England on pain of death, should he return, and a second treason trial in 1653, when he returned despite his banishment, hoping to turn the political crisis that followed Oliver Cromwell's dissolution of the Rump to the people's advantage. The transition from the Commonwealth to the Cromwellian Protectorate in 1653, a transition dominated by the story of the Nominated Parliament in most historical narratives, can best be conceived as another climacteric of unsettlement. Indeed, Lilburne's second treason trial became

the climax of another broadly based attempt by the Levellers to promote their agenda of a newly elected and representative parliament as the solution to the nation's lapse again into unsettlement. However, as in 1649, the Levellers could not successfully advance their agenda against the Independent grandees' control of the army and their successful portrayal of the Levellers as agents of disorder rather than of settlement. Furthermore, the government's refusal to release Lilburne after his second acquittal deprived the Levellers of their most colourful and energetic spokesman.

### MAINTAINING THE CASE FOR AN AGREEMENT AND THE OXFORD MUTINY

The regime's propaganda against the Leveller leaders—still imprisoned in the Tower—clearly put them on the defensive after the army disorders that concluded at Burford. However, Lilburne and Overton remained defiant. Lilburne denied again that he had promoted the spring army disorders when the Independent divine, Hugh Peter visited him in the Tower.<sup>2</sup> Richard Overton, however, referred to the mutinous soldiers as 'our friends' when he wrote to the Leveller followers who met regularly at the Whalebone Tavern in Lothbury. Condemning his former associates Henry Denne and John Wildman as turncoats, Overton encouraged the Lothbury Levellers to 'lift up your *Agreement* ... again.'<sup>3</sup> William Walwyn's son-in-law Humphrey Brooke similarly returned to print in the wake of Burford to defend the Agreement of the People and its proponents as 'agents or factors for the Commonwealth' who sought only to ensure 'a constant and frequent representative.' Yet in advancing the Agreement again, neither Overton nor Brooke condoned the troop rebellion.<sup>4</sup>

Tracts from other hands circulated in June and July echoed the arguments of these Leveller leaders by drawing attention to the Agreement and questioning the legitimacy of the regime. For example, the cornet of William Bray's troop, Christopher Cheesman, was adamant that 'the Agreement' was the only way 'that we may compose our differences.'<sup>5</sup> A consortium of printers including the radical Giles Calvert reprinted the version of the Agreement endorsed by the Council of Officers in January 1649. This was not the version of the Agreement favoured by the Leveller leaders, but those who published it may have aspired to reintegrate civilian and military support for Leveller principles.<sup>6</sup>

Over the course of August 1649, Lilburne mounted a renewed assault on the regime, despite attaining liberty on bail when illness ravaged his family.<sup>7</sup> His *Impeachment of High Treason against Oliver Cromwell* invited citizens and soldiers to rally again behind the *Agreement of the Free People*, and it repeated all the charges that the Levellers had made against Cromwell since the disappointing Ware rendezvous. Lilburne launched a similar attack upon Sir Arthur Hesilrige. Hesilrige was not yet the Commonwealth doyen he would soon become, but he was already associated with it as MP and governor of Newcastle upon Tyne, where he was developing both a fortune and a reputation through the acquisition of sequestered property. Among his many misdeeds, according to the Levellers, Hesilrige's seizure of sequestered property assigned to Lilburne exemplified the avaricious thirst for power and wealth of the Commonwealth grandees.<sup>8</sup>

As the first anniversary of the great petition of 11 September 1648 approached, the *Impeachment of High Treason* was intended to bolster Leveller followers, like those who met at the Whalebone Tavern, against any recognition of the legitimacy of the Rump. For the benefit of the soldiery, Lilburne also repeated the argument that the June 1647 Engagement at New Market had internally transformed the army by establishing a representative General Council, from which alone the generals should now derive their authority. Only popular action could end the present tyranny, but such action, Lilburne argued, should come through civil association rather than through insurrection. The kind of national convention that had previously figured in Leveller and radical army discussions should now advance the principles of the Agreement of the People. A national convention of agents—'two at least, from each county'—should meet to consider both the Agreement and overtures to Charles Stuart, son of Charles I, and already proclaimed king in Scotland. 'If we must have a king,' Lilburne argued, with Cromwell's de facto power in mind, 'I ... had rather have the prince ... because of his large pretence of right.' But Charles must first abandon his efforts to reclaim the English throne by conquest and instead accept authority 'by the hands of Englishmen, by contract, upon the principles' of the Agreement.<sup>9</sup>

Lilburne thus viewed the association of popular agents on behalf of the Agreement less as a new revolutionary action and more as the first step in the recovery of Commonwealth government from a military

regime—those ‘men of blood’—who had suppressed the Petition of Right, the Magna Carta, and all the fundamental laws of the country. The army’s actions, according to him, left ‘us an absolute conquered and enslaved people’ in the ‘original state or chaos of confusion.’ What needed to happen now was the reconstitution of ‘the interest and right of the people in their parliaments,’ so that they were bound only ‘by their own consent given to their deputies.’ Lilburne made the same argument using ten otherwise obscure Londoners who lent their names to the late August *Outcry of the Young Men and Apprentices of London, or an Inquisition after the lost Fundamental Laws and Liberties of England*. The *Outcry* concluded with an impassioned plea to the ‘private soldiery of the army’ to join an effort to reconstitute the state. The tract’s rhetorical appeal was, again, not an invitation to rebellion, however. Rather, it was part of an invitation for the soldiers to join with ‘all the honest-hearted freemen’ of the counties, in choosing ‘agents or commissioners’ to meet together in London ‘to consider of a speedy and effectual method ... to promote the election of a new and equal representative.’ As for the Rump, the ‘young men and apprentices’ vowed no longer ‘to take any notice of them than as of so many tyrants and usurpers.’<sup>10</sup>

Some soldiers who had participated in the Burford episode were already offering similar sentiments. *The Levellers (falsely co called) Vindicated*, of 20 August, was the most portentous of several late summer 1649 tracts. Its publication suggested, as *The Man in the Moon* reported, that the ‘Levellers have a new design afoot.’<sup>11</sup> The tract was signed in London by six soldiers who claimed to speak for many in the three regiments most prominent in the spring disturbances, Robert Everard (‘Buff-Coat’ of the Putney debates) among them. The authors, whom Lilburne or others likely coached, began with an extensive refutation of the regime’s negative characterizations of those involved in the earlier disturbances, as epitomized in the misleading Leveller name the grandees had succeeded in affixing upon them. They defended the actions that had climaxed at Burford as a reaffirmation of the 1647 army resolution, made by ‘unanimous consent,’ neither to ‘disband nor divide’ until a General Council determined that their just ends had been secured. But instead of the freedom for which they had fought against the ‘oppressions and tyranny’ of the king, these soldiers found that ‘the ruling sword-men’ had taken ‘his throne’ and ‘set up a martial monarchy more cruel, arbitrary, and tyrannical than England ever yet tasted of.’<sup>12</sup>

We are ... compelled ... to methodize all our honest fellow prentices, in all the wards of London, and the out-parishes, to choose out their agents to join with us or ours; to write exhortative epistles, to all the honest hearted freemen of England, in all the particular countries thereof, to erect several councils amongst themselves, ... [and] to choose agents or commissioners empowered and entrusted by them speedily to meet us and the agents of all our adherents at London ... to consider of a speedy and effectual method to promote the election of a new and equal representative or parliament, by the *Agreement of the People. An Outcry of the Young Men and Apprentices of London* (1649), pp. 9–10.

What was to be done? The soldiers rejected force and endorsed the civil process outlined by Lilburne: ‘There are but two ways: by conquest, or Agreement; by fire and sword, or by compact and love.’ A ‘popular Agreement’—the only way to ‘a well-founded and safe, settled peace’—could best advance through the choice of agents in all the regiments to ‘unite themselves’ with similar agents from the counties. Such commissioners could secure the release of the prisoners in the Tower, ‘debate and consult’ about how to implement the Agreement, and provide for a ‘new, equal, and speedy representative.’ The Agreement was far more central in the thinking of these soldiers (now in contact with Lilburne) than it had been in the spring demands of the discontented regiments; and the soldiers annexed the Levellers’ spring version of the *Agreement of the Free People* to their manifesto.<sup>13</sup>

These concerted Leveller tracts were also clearly timed to follow the departure of Lieutenant-General Oliver Cromwell and many of the New Model Army’s best units for Ireland. Other signs of continued dissatisfaction with the regime coincided with their publication. Many sectarians and Independents who shared the Levellers’ interest in reform of the law, elimination of tithes, and official sanction of a broad toleration remained disturbed by the Rump’s dilatory responses to these issues. For example, a few days after Cromwell’s departure, the Rump received a petition from the Council of Officers that called for law reform and the removal of all penal laws about religion. Active dissatisfaction with the regime was visible as far from London as Lancashire, where one writer worried that the poor, confronted with an unpalatable choice between

paying the monthly assessment or suffering the distraint of their goods, ‘will turn Levellers upon necessity.’ In Derbyshire, lead miners locked in a conflict about their rights on the manor of the Earl of Rutland, reportedly turned to the ‘levelling party in the towns adjacent’ for help. In early September, they drafted ‘a declaration against the present authority,’ in response to the regime’s support for Rutland and endorsed the Agreement of the People and the petition of 11 September 1648.<sup>14</sup>

That the revival of Leveller propaganda, the unpopularity of the regime, and divisions between soldiers and officers combined to cause further disturbances in the army is, therefore, not really surprising. However, historians have largely dismissed the rebellion of the Oxford garrison in early September 1649 as little more than a footnote to the more extensive spring disturbances.<sup>15</sup> The regime took the Oxford mutineers more seriously than that. Initially, the government sought to avoid punitive measures towards the Leveller leaders that might further inflame the situation. Indeed, a week before the Oxford eruptions, the Council of State was reportedly aiming at reconciliation with the Leveller leaders through talks that included them, some MPs, and representatives of the soldiers. Walwyn, Overton, and Thomas Prince were now granted the same liberty from close confinement that Lilburne had enjoyed.<sup>16</sup>

In time, the Commonwealth leadership became persuaded that Lilburne in particular had directly contributed to this new outbreak of insubordination in the army. And, in fact, Sergeant John Radman, one of the leading Oxford incendiaries, distributed copies there of Lilburne’s *Outcry*, which was also separately printed in Oxford. Although some reports suggested that ‘head pieces’ from London had scurried up to Oxford to encourage the soldiers at the first sign of their restlessness, other sources insisted that the ‘grandees of the Levelling party’ did not sanction the new disturbances.<sup>17</sup> In any case, the Oxford mutiny was a Leveller disaster. It contradicted and pre-empted Lilburne’s desire to promote the Agreement through a civil process, and it confirmed the regime’s propaganda that the Levellers were irresponsible incendiaries. It terminated the regime’s halting steps towards reconciliation with the Leveller leaders and led instead to the trial of Lilburne on capital charges.

The *Moderate’s* Oxford correspondent reported unhappiness among the soldiers there in early August, a month before the new outbreak of unrest, and rumours of secretive Leveller preparations also preceded it. The Leveller Col. William Eyre, who had been held at Oxford after his capture at Burford, and other prisoners supposedly

poisoned the minds of many garrison soldiers ‘with their Levelling doctrines.’<sup>18</sup> On 8 September, soldiers from Col. Richard Ingoldsby’s regiment seized the Oxford magazine. Several hundred troopers quickly elected agitators to represent them, and a new Oxford council of agitators placed their officers under guard. News reports about the soldiers’ demands varied widely. They clearly wanted the army General Council re-established, tithes eliminated, and all arrears in pay quickly satisfied. Some accounts also suggested that the soldiers and agitators offered a broader set of eight proposals that may have included the dissolution of the Rump, the election of a new representative body, and the adoption of the Agreement of the People. To these reported demands, still other accounts added reform of the law, elimination of the excise, and ‘the bringing in of Prince Charles.’ Yet other accounts pinned the mutiny on ‘illiterate and ignorant’ soldiers who were mostly upset about their back pay. In the absence of a printed manifesto of the soldiers’ demands, perhaps the best interpretation is that some soldiers imbued with Leveller ideas were successful in arousing comrades whose resentments about their pay had again reached boiling point.<sup>19</sup>

When Col. Ingoldsby himself arrived from London with other representatives of the regime to deal with the rebellious soldiers, Sergeant Radman placed him under house arrest. Although the mutineers were unable to gain much civilian support for their actions, they apparently believed that disaffected men in other regiments would spread their demands. News writers suggested that they imagined a rebel force could take the field within six weeks. However, the mutiny quickly collapsed when the imprisoned officers overpowered their guards after a single night, persuaded them to reaccept their authority, and arrested the council of agitators. By the time Major-General John Lambert arrived with reinforcements, the mutiny was over. One soldier and one horse had died in the confrontation. Two soldiers named Biggs and Piggen were executed after a court martial, while a third condemned man was reprieved. All those responsible for the *Outcry*, including Londoners said to be present at Oxford, were charged with treason, but in the end, only Lilburne was tried by a commission of oyer and terminer six weeks later. Sergeant Radman escaped and seems to have fled to Poole, where sympathetic soldiers and officers sheltered him.<sup>20</sup>

Despite the collapse of the Oxford rebellion, news-books for the next few weeks reported possible Leveller activity in widely separated parts of

the country, including High Wycombe (in Buckinghamshire, the source of several Leveller petitions), Plymouth, Poole, Carlisle, Lichfield, and Birmingham. Other rumours suggested that the Oxford mutineers had expected support from troops in Northamptonshire, Leicestershire, Derbyshire, Kent, and Surrey. However, some of these accounts were more likely indications of the regime's anxieties than of actual Leveller agitation. Despite unrest in some of the Channel garrisons, no other significant group of soldiers appears to have actively supported the Oxford mutineers. The audience for Leveller ideas amongst disgruntled soldiers and sectarians in many localities certainly remained intact, but at this point, such supporters were relatively quiet.<sup>21</sup>

Instead, the reporting of Leveller unrest elsewhere points to something like a Leveller 'scare' in the wake of the Oxford mutiny, a scare fanned by a still insecure regime. Official letters warned the governors of all the garrisons in England to be on the lookout for distempers among their own soldiers. The Council of State encouraged JPs in all the counties to break up any Leveller meetings of which they became aware and to arrest their 'chief promoters.' The proceedings of the Council of State and of the Rump betrayed a high level of anxiety about security through early October 1649, when news of Cromwell's overwhelming victory at Drogheda reached Westminster. In the meantime, the Rump discussed supplementing the militia with auxiliary regiments to deal with any insurrection or invasion. The government also renewed its propaganda campaign against the Levellers, a campaign now enhanced by suggestions that Levellers and royalists were acting together.<sup>22</sup>

The regime was also well aware that the free circulation of print fed both popular unhappiness and the audience for Leveller ideas. The Rump's adoption of a new act against scandalous pamphlets followed within a week of the suppression of the Oxford mutiny. Historians have too little noted the draconian nature of this muzzling of the press by the new English 'free state.' The act provided a rigorous licensing regimen directed by parliament's own clerk, required printers to find significant financial surety for any offering of scandalous print, threatened the destruction of unlicensed presses, and even imposed punishment on hawkers and purchasers of material printed without authority. As one scholar has noted the bill served to 'formalize' reporting of parliamentary proceedings, but it also better established the Commonwealth on the people's acquiescence to the 'just authority which is set over them for their good and safety.' The act quickly drove most news-sheets out of